

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: October 15, 2009 Name: Michael S. Gzybowski Signature: /Michael S. Gzybowski/ Reg. No. 32,816

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Chor Ee EWE

Appln. No.: 10/571,749

Filed: March 13, 2006

For: THERMAL HERBAL APPLICATOR

Attorney Docket No.: (EWE-3)

Examiner: Qiuwen Mi

Art Unit: 1655

Conf. No.: 9836

TRANSMITTAL

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

- ☒ Reply Under 37 CFR 1.116, Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences, Petition and Fee for Extension of Time (37 CFR 1.136(a)).

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☒ An extension fee in an amount of \$1,110.00 for a three-month extension of time under 37 CFR § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	OR	Rate	Add'l Fee
Total		Minus			x \$26=			x \$52=	
Indep.		Minus			x 110=			x \$220=	
First Presentation of Multiple Dep. Claim					+\$195=			+ \$390=	
					Total	\$		Total	\$

Fee payment:

- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$1,650.00 for a three-month extension, and fee for Notice of Appeal.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

October 15, 2009
Date

/Michael S. Gzybowski/
Michael S. Gzybowski (Reg. No. 32,816)